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February 8, 2012

Philip A. Toomey
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Magistrate Judge Joseph C. Spero
U.S. District Court
Northern District Court of California
Courtroom G, 15th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

Re: *Winbery, et al. v. Americo Financial Life and Annuity Insurance Company, et al.*
Case No. 3:09-cv-00134-JCS (N.D. Cal.): Request to Appear Telephonically

Dear Magistrate Judge Spero:

I am counsel for Defendant Equita Financial and Insurance Services in the above-referenced case. I respectfully request permission to attend telephonically the upcoming Case Management Conference hearing scheduled for March 9, 2012 at 1:30 p.m. PST. My telephone number is (310) 545-0010 extension 103.

Your consideration is appreciated. If you have any questions, please contact me.

Very Truly Yours,

CARICO JOHNSON TOOMEY LLP

IT IS HEREBY ORDERED THAT counsel shall be on phone standby beginning at 1:30 p.m., and await the Court's call.

A handwritten signature in blue ink, appearing to read 'P. Toomey', is written over a blue circular scribble.

Philip A. Toomey

Dated: Feb. 9, 2012

cc: Michael D. Meadows, Esq.
Gordon W. Renneisen, Esq.
Scott A. Shanes, Esq.
Ethan J. Brown, Esq.

